

B) Do you find by a preponderance of the evidence that Plaintiff's fall on October 28, 2008, was proximately caused by the negligence of Defendant Class A Painting, LLC?

Please answer yes or no: _____ "no"

Following the jury trial of this matter, the Court concluded a bench trial as to Plaintiff's claims against the United States of America. In accordance with its Order [303] entered on this date, and for the reasons more fully stated on the record, the Court further finds that judgment should be rendered in favor of Defendant United States of America pursuant to FED. R. CIV. P. 52(c).

IT IS, THEREFORE, ORDERED AND ADJUDGED, that judgment is hereby rendered in favor of W.G. Yates and Sons Construction Company, Whitesell-Green, Inc., Yates/Whitesell-Green Inc., a Joint Venture, Class A Painting, LLC, and the United States of America.

SO ORDERED AND ADJUDGED, this the 13th day of February, 2012.

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE